

In re Patent Application of:

**MARTIN HERING**

Serial No. 09/705,152

Filing Date: 11/2/2000

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**Remarks**

Applicant and the undersigned would like to thank the Examiner for his efforts and guidance provided in the examination of this application. As indicated by the Examiner in the above referenced Notice of Non-Compliant Amendment dated 02/09/2006, claims 89-93 were not addressed in the Applicant's response dated 11/21/05 and received by the office on 25 November 2005. The omission of claims 89-93 and any comments regarding these claims were inadvertent. Claims 62, 64-66, and 86-93 remain in the case.

After reviewing the file history, the April 21, 2004 Response by Applicant to the Non-Final Office Action of 03/09/2005, Part of Paper No./Mail Date 20050304, included claims 89-93 with claim 89 (previously presented), claim 90 (currently amended), and new claims 91-93. Subsequent Office Actions and Responses dealt with non-compliant matters. It appears claims 89-93 were originally omitted in the September 1, 2005 response, and again omitted in the November 21, 2005 response. In both responses, such omission was not intentional. Indeed, it was intended that Claims 62, 64-66, and 86-93 remain in the case in response to the non-final office action of March 9, 2005.

Applicant respectfully submits that the application is compliant and is now in a condition for allowance. Passage to issue is respectfully solicited. The Applicant and



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the undersigned would like to again thank the Examiner for his efforts in the examination of this application. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

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#### CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 14th day of February, 2006.

Suzanne Yenser